UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH

Case No 05-80387-CIV-RYSKAMP/VITUNAC

STEVEN A SILVERS, an individual,

Plaintiff,

v

GOOGLE INC., a Delaware corporation,

Defendant

FILED by ______ D.C.
SEP 29 2006
CLARENCE MADDOX
CLERK U.S DIST. CT.
S.D. OF FLA. - W.P.B.

ORDER DENYING GOOGLE INC.'S UNOPPOSED MOTION TO ALTER THE SCHEDULING ORDER RELATING TO DISCOVERY AND DISPOSITIVE MOTIONS ONLY

THIS CAUSE comes before the Court upon Defendant Google Inc 's Unopposed Motion to Alter the Scheduling Order Relating to Discovery and Dispositive Motions Only [DE 126] on September 27, 2006 In its Motion, Google seeks to amend the Scheduling Order for a second time The court having reviewed the Motion and otherwise being advised in the premises it is hereby,

ORDERED and ADJUDGED that this Motion [DE 126] is hereby PARTIALLY GRANTED. The Scheduling Order shall be amended in the following respects:

Deadline for all Parties to complete expert discovery is September 29, 2006

Deadline for Discovery related to Stelor's contract claims is October 5, 2006

Deadline for all Parties to file dispositive motions is October 9, 2006.

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 29 day of September, 2006

HON. KENNETH L. RYSKAMP
UNITED STATES DISTRICT JUDGE

Copies provided to:
Counsel of record

Dockets.Justia.com

ISSUED BY THE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SUBPOENA FOR VIDEO TAPED
DEPOSITION DUCES TECUM
IN A CIVIL CASE

STEVEN A. SILVERS, and Individual

CASE NO. 05-80387-CIV

Plaintiff

GOOGLE INC., a Delaware Corporation,

Defendant.

TO: Lindsey R. Miller
566 College Parkway
Rockville, Maryland 20850

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	DATE

X YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
Law Offices of Stephen H. Sturgeon 11116 Hurdle Hill Drive Potomac, Maryland 20854	October 10, 2006 at 3:00 p.m.

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): See Exhibit A, attached

PLACE:	DATE AND TIME
See Attachment "A"	

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES:	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
Attorney Cross-Claim Plaintiff Stelor Production, Inc.	September 22, 2006

ISSUING OFFICER'S NAME AND ADDRESS AND PHONE NUMBER
Kevin C. Kaplan, Esq.
Burlington, Schwiep, Kaplan & Blonsky, P.A.
2699 South Bayshore Drive, Penthouse, Miami, Florida 33133, (305) 858-2900

ATTACHMENT "A"

(1) All documents obtained from or provided to you by Stelor Productions, LLC f/k/a Stelor Productions, Inc. ("Stelor"), its officers, directors, employees or consultants – current or former.

All communications or correspondence with Stelor, its officers, directors employees or consultants – current or former.

(3) All documents obtained from or provided to you by Steven Silvers, including his attorneys, agents or representatives.

(4) All communications or correspondence with Steven Silvers, including his attorneys, agents or representatives.

(5) All documents obtained from or provided to you by Café Press.

All documents obtained from or provided to you by any entity or individual relating in any way to Stelor or its business.

(7) All communications or correspondence with Café Press.

(8) All communications or correspondence with any entity or individual relating in any way to Stelor or its business.

(9) All documents received or generated by you related to any and all litigation or disputes between Stelor and Silvers, including but not limited to the present action; Case No. 05-80393 Hurley/Hopkins in the Southern District of Florida; and Case No. 05-18033 CA 03, in the 11th Judicial Circuit in and for Miami-Dade County.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH

Case No. 05-80387-CIV-RYSKAMP/VITUNAC

STEVEN A. SILVERS, an individual,

Plaintiff,

v.

GOOGLE INC., a Delaware corporation,

Defendant.
_______________________________/

FILED by [signature] D.C.
OCT - 5 2006
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. - W.P.B.

OMNIBUS ORDER

THIS CAUSE comes before the Court upon Stelor Production, LLC's Motion for Order Confirming Stelor may Proceed with Depositions it Previously Agreed to Schedule for October 9-11 to Accommodate the Schedule of Mr. Silvers [DE 132], and Stellor's Request for an Expedited Status Conference [DE 133] both filed on October 3, 2006. Evidentially the Parties had agreed to take a number of depositions between October 9 and 11, after the deadline already set by this Court. Then Google asked this Court for an extension of time [DE 126], which this Court denied [DE 127], requiring the Parties to complete the depositions by October 5, 2006. Now, Stellor has returned and explained that since that Order denying the extension of time, Mr. Silvers has refused to participate in a deposition. Additionally, this Court has already denied Mr. Silvers' Motion for Protective Order. The court having reviewed the Motions and otherwise being advised in the premises it is hereby,

ORDERED and ADJUDGED that Stelor Production, LLC's Motion for Order Confirming Stelor may Proceed with Depositions it Previously Agreed to Schedule for October 9-11 to Accommodate the Schedule of Mr. Silvers [DE 132] is hereby GRANTED. Stellor's

Request for an Expedited Status Conference [DE 133] is hereby DENIED.

The Parties are put on notice that no further extensions of time will be provided in this case.

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 5th day of October, 2006.

HON. KENNETH L. RYSKAMP
UNITED STATES DISTRICT JUDGE

Copies provided to:
Counsel of record

MICHAEL C. WORSHAM
ATTORNEY AT LAW
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FOREST HILL, MARYLAND 21050

MICHAEL@WORSHAMLAW.COM
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LICENSED IN MD AND D.C

(410) 557-6192
FAX (410) 510-1870

October 9, 2006

S. Sturgeon, Jr., Esq.
1116 Hurdle hill Drive
Potomac, Maryland 20854-2526
(201) 913-9291
By fax only to : (202) 478-0786

Kevin C. Kaplan, Esq.
Burlington, Schwiep, Kaplan & Blonsky, PA
(W) (305)858-2900, ext. 16
(C) (305) 725-2740
By fax only to: (305) 792-4343

Re *Silvers v. Google*, Case 05-80387-CIV-RYSKAMP/VITUNAC (S.D. Fla.)
Stelor Productions, LLC v. Steven Silvers, et al, Case # 272024-V
Stelor Productions, LLC v. Steven Silvers, et al, Case # 272023-V

Dear Mr. Sturgeon and Mr. Kaplan,

As you know, I represent Lindsey Miller, but have not received anything from either of you in response to my emails of Friday Oct. 6 regarding the subpoena putatively served on her. First, Lindsey Miller objects to the attempted service of the subpoena, requiring her to appear at a date past the deadline set by the federal Court in Florida. Second, pursuant to FRCP 45(c)(2)(A), Mr. Miller objects to both the timeliness and scope of the requested document production, including requests that are overly burdensome, and irrelevant to the Florida suit, such as all communications between Ms. Miller and her employer and others. Third, pursuant to FRCP 45(c)(3)(A), Ms. Miller objects to the request to appear for a deposition as failing to allow reasonable time for compliance. I have not had adequate time to consult with Ms. Miller, or to learn what the Florida suit is about generally or in relation to her. Accordingly, I will advise Ms. Miller not to appear tomorrow, on October 10, 2006 at 3 PM at Mr. Sturgeon's offices. We intend to file a motion to quash if I do not hear from you by 12:00 on Oct. 10 that the subpoena is being withdrawn, and will seek fees as applicable.

I also represent Elon Eisenberg. I understand service of a subpoena was attempted yesterday, Sunday October 8, 2006, but failed. Because there was no actual service, and for similar objections that would or might apply to Mr. Eisenberg if he is served, he will not be appearing for any deposition this week. Thank you.

Sincerely,

Michael C. Worsham

cc: Clients
Johanna Calabria, Esq., by fax to (415) 344-7050 and/or to jcalabria@perkinscoie.com

10-1-06 5:07 P.
Attempting to contact
Paul Worsham
call Gary Dean at
240 274 1000
Re US D Str
Court not a summons

10 2-06 1:35 pm
2ND Attempt to
contact
Paul Worsham
call Gar Dean at
24 274 1000
Re S D Str court

10-5-06 2:12P
Re: U.S. District
Court for [illegible]
Attempting to contact
Paul F. Worsham
call Gary Dean
at 240 274 1000

Failure to respond
may result
in contempt
of court

<NOT A SUMMONS>